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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,927	07/09/2001	Jilene A. Repp	1295-00044	8912

26753 7590 03/15/2002

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EXAMINER

SALVATORE, LYNDIA

ART UNIT	PAPER NUMBER
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1771

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DATE MAILED: 03/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/900,927	Applicant(s) REPP ET AL.
	Lynda M Salvatore	1771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-20 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Note: Claims 21-23 referred to in the applicant's petition to make special (page 5, 2nd paragraph) are missing from the disclosures.

Claim Objections

1. Claim 15 is objected to because of the following informalities: Improper Jepson claim format. Appropriate correction is required. Please refer to MPEP 2129 and 608.1(m) and 37 CFR 1.75 (e).

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 15 is indefinite because use of the phrase "configured for having connecting means". It is not understood if the material used to provide the quilt batting member requires some specific spatial arrangement in order to enable a connecting means to pass through the covers and batting member, or what "configuration" needs to occur to make the batt able to receive connecting means.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 15-17 and 19-20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Schabert et al., US 3,501,368.

The patent is directed to an iron-on fabric composed of a fleece material having a resin deposited on one side thereof and is heat activated (abstract). The reference further discloses another embodiment that provides a fleece material with adhesive on both sides and teaches the application of inserting the adhesive coated fleece material between two layers of cloth, which can then be pressed together with a hot iron (column 1, 3rd paragraph line 38-41).

6. Claims 15-17 and 19-20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Drelich, US 2,992,149.

The patent is directed to heat-sealable sheet materials (title), more specifically a self-heat-sealable material. A synthetic polymeric thermoplastic substance deposited on the textile material enables the self-heat-sealable properties disclosed (abstract). The heat-sealable sheet material having an activatable thermo-adhesive substance deposited thereon may include woven and non-woven fabrics, felts, and papers. (column 1 paragraph 2). The reference further teaches that the activated adhesive sheet material may be more or less permanently adhered to

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themselves in folds or to other materials in a laminated structure (Column 1 paragraph 2). Figure 4 (column 3 line 18-20 and page 5) describes another embodiment of the invention having the linear polyolefin adhered to both sides of a non-woven fabric sheet material. Additionally, the patent further discloses how the sheet material may be faced on both sides with thermoplastic granules and adhered to other sheet materials by simply being pressed with a heated iron (column 4 line 63-74).

7. Claims 15-17 and 19 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Groshens et al., US 5,543,214.

The patent is directed to a thermo-adhesive product formed from a backing fabric with a thermo-adhesive layer deposited on its surface (abstract). The thermo-adhesive layer is formed of polymers which are non-tacky at ambient temperatures and become tacky and plastic at an elevated temperature (abstract). Suitable fabrics which can be used as fusible interlinings may be woven, knitted, or non-woven fabrics made of natural, synthetic, or metallic materials (column 1, line 31-35). The reference also teaches coating both sides of a backing fabric with adhesive and inserting the coated textile between other materials (Column 4 line 24-32).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure. In addition, the following references are cited of interest for disclosing various aspects of the Applicant's invention.


US 2,171,506	US 5,885,265
US 5,304,410	US 3,961,125
US 5,241,919	US 3,770,562
US 2,853,404	US 4,949,415
US 5,269,862	US 5,398,355

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynda Salvatore whose telephone number is 703-305-4070. The examiner can normally be reached M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 703-308-2414. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

ls
March 8, 2002


TERREL MORRIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700